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Federal Court Counsel for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

DAVID STAPLETON,
in his capacity as Receiver for
the Receivership Entity, including for Zadeh Kicks, LLC,
Plaintiff

v.

Case No. 6:23-cv-01977

DEFENDANTS' NOTICE OF REMOVAL

DEADSTOCK LA, INC. a California corporation, and
ELY HALAVI, an individual and California resident.,
Defendants

Defendants Deadstock LA, Inc. and Ely Halavi hereby file, pursuant to 28 U.S.C. §1441, this Notice of Removal of the above-captioned state court civil action pending in Lane County Oregon Circuit Court, bearing identifying number 23CV40344, filed on October 3, 2023, (“the state court civil action”); filed as an Exhibit with this Notice of Removal is the Complaint initiating the state court action.

1. Removal Filed Within Thirty (30) Days of Service Upon Defendants of State Court Complaint and Summons: Defendants were served with a Summons and Plaintiff's Complaint in the state court civil action on December 17, 2023, which therefore makes this Notice of Removal timely, in accordance with 28 U.S.C. §1446(b)(1).
2. Diversity Jurisdiction Requirements Are Met In This Case, Consistent With Allegations in the State Court Complaint: Subject matter jurisdiction over this removed civil action lies in this United States District Court pursuant to 28 U.S.C. §1332(b), inasmuch as there is complete diversity of citizenship in this removed civil action and the amount in controversy exceeds \$75,000. Such subject matter jurisdictional facts are plainly stated and alleged in the Complaint filed by Plaintiff initiating the state court civil action.
3. Copy of State Court Civil Action Complaint Is Filed Simultaneously, Pursuant to 28 U.S.C. §1446(a): Defendants file simultaneously with this Notice of Removal, as an Exhibit, a copy of Plaintiff's Complaint, which is the sole pleading filed to date in the state court civil action.
4. Defendants will promptly file, pursuant to 28 U.S.C. §1446(d), a copy of this Notice of Removal in the state court civil action previously pending in Lane County Oregon Circuit Court.

Respectfully submitted,

/s/ Conde T. Cox

Federal Court Counsel for Defendants:
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Removal was served on December 29, 2023, via this Court's CM/ECF system, upon all counsel listed therein for the above-captioned removed civil action, and also upon the following, by the means shown:

Daniel Larsen
By email: dlarsen@buchalter.com

Daniel Larson
805 SW Broadway, Suite 1500
Portland, OR 97205
By first class mail

Oren Bitain
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/s/ Conde T. Cox